

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

R. RICHARD FARNELL,
Plaintiff,

v.

PLESSERS, APPLIANCEDEALZ,
DISCOUNT BANDIT,
Defendants.

No. 2:22-cv-0875 DAD DB PS

ORDER

Plaintiff R. Richard Farnell is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). On October 14, 2022, the undersigned issued an order setting this matter for a Status (Pretrial Scheduling) Conference on November 18, 2022. (ECF No. 7.) Pursuant to that order plaintiff was to file a status report on or before November 4, 2022. Plaintiff has failed to do so.¹

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¹ Although plaintiff has engaged in informal communications expressing difficulty and delay in filing the required status report, such communications do not satisfy the October 14, 2022 order and plaintiff must file a status report if plaintiff wishes to continue litigating this action.

Accordingly, IT IS HEREBY ORDERED that:

1. The November 18, 2022 Status (Pretrial Scheduling) Conference is continued to **Friday, December 23, 2022, at 10:00 a.m.** at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27 before the undersigned.²

2. Plaintiff shall file and serve a status report on or before **December 9, 2022**.³ Plaintiff's report shall address all of the following matters:

- a. Progress of service of process;
- b. Possible joinder of additional parties;
- c. Possible amendment of the pleadings;
- d. Jurisdiction and venue;
- e. Anticipated motions and the scheduling thereof;
- f. Anticipated discovery and the scheduling thereof, including disclosure of expert witnesses;
- g. Future proceedings, including the setting of appropriate cut-off dates for discovery and for law and motion, and the scheduling of a final pretrial conference and trial;
- h. Modification of standard pretrial procedures specified by the rules due to the relative simplicity or complexity of the action;

² Parties shall appear at the Status Conference either telephonically or over video conference through the Zoom application (which is free and must be downloaded to your computer or mobile device prior to the hearing). Parties proceeding in propria persona, on his or her own behalf, shall contact Mamendella York, the courtroom deputy of the undersigned magistrate judge at (916) 930-4128, no sooner than 4 days prior to the noticed or continued hearing date but no later than 48 hours prior to the hearing, to arrange their appearance either telephonically or over video conference. Counsel will receive an email containing the necessary appearance information and must notify the courtroom deputy no later than 48 hours prior to the hearing to elect to appear either telephonically or over video conference. The Zoom ID Number and password are confidential and are not to be given to anyone. Persons granted remote access to these proceedings, whether by Zoom or by telephone, are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court.

³ Defendant filed a status report on November 10, 2022. (ECF No. 8.) In the event plaintiff files a status report, defendant may file an updated status report on or before December 16, 2022, if an update is necessary.

- i. Whether the case is related to any other case, including matters in bankruptcy;
- j. Whether the parties will stipulate to the magistrate judge assigned to this matter acting as settlement judge, waiving any disqualification by virtue of her so acting, or whether they prefer to have a Settlement Conference before another magistrate judge;
- k. Whether the parties intend to consent to proceed before a United States Magistrate Judge; and
- l. Any other matters that may aid in the just and expeditious disposition of this action.

3. Plaintiff is again cautioned that failure to file a status report or failure to appear at the status conference may result in an order imposing an appropriate sanction, including the recommendation that this action be dismissed. See Local Rules 110 and 183.

DATED: November 14, 2022

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE